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KINDNESS TO THE FALLEN FOE: A JAPANESE SOLDIER GIVING A WOUNDED RUSSIAN
REFRESHMENT AND CIGARETTES.

FOOTBALL LEAGUE

Jess Woods Elected As President and Man- ager.

The Honolulu Football League for
1904-5 was organized at the Y. M. C. A.
on Tuesday evening, with the following
officers: Jess Woods, president; John
Waterhouse, secretary and treasurer;
Percy Benson, auditor.

It was decided to have the president
act as the manager of the League during
the season, and a salary of \$50 was
voted for this purpose. He will ar-
range all matters pertaining to games,
attend to press work, etc.

It was decided to have a league of
three teams, with six games for the
season, each team playing two games
with each of the other two. The sea-
son will commence on Thanksgiving
Day, and games will be played on
Christmas and New Year's.

The League will be composed this
year of the Mailes, Honolulu and Pu-
nahou.

The meeting was called by W. H.
Babbitt, last year's president.

CHINESE MERCHANT TREASURY DECISION

Department of Commerce and Labor,
Office of the Secretary, Washington,
September 2, 1904.
Sir: Under cover of your letter of the
10th ultimo, No. 970-C, the Department
has received the record on appeal in the
case of Mui Kee Foon, a Section 6 Can-
ton merchant, No. 4 ex steamship China,
July 25, 1904.

The appellant presented as prima facie
evidence of his right to admission a
Section 6 certificate to the effect that his
former occupation was that of dealer in
general merchandise in San Tai market
place during the years 1900 to 1901;
that he is at present in the same busi-
ness in Wing Cheong Moon, Canton, un-
der the name of Hop Sing, capitalized
for \$8000, of which his interest is one-
half; that he has been in his present
business for three years; and that his
place of residence has been in Nam Woh
village.

Your examining inspector attempts to
show that the appellant disproves his

certificate by his testimony in regard
to the length of time he conducted his
former occupation, but this contention is
not borne out by a reading of the testi-
mony. There are, however, other cir-
cumstances connected with this case
which must be taken into consideration
in order to arrive at an intelligent de-
cision.

The appellant arrived at your port on
the steamer with Mui Chee Lap, another
alleged merchant, whose certificate
shows that he is from the same village
in China, and that he conducted his
former occupation at the same market
place named in the appellant's certificate.
The said Mui Chee Lap clearly disproved
statements contained in his own certi-
ficate, which must therefore be considered
untrue in all respects. You point out
that the appellant and the said person
have the same family name, that there is
a strong facial resemblance between the
two, that both are of very dark com-
plexion, that their photographs were
taken in the same silk vest, and that
their certificates were issued on the same
date in Canton and numbered consecu-
tively. The appellant and the said per-
son contradicted each other as to whether
their native village is subdivided, but
whether it is subdivided or not, it is
stated to have but 40 houses. It appears
from the certificate in each case that
both persons have spent their lives in the
said village and have even conducted
business at the same market place. In
spite of the circumstances narrated, both
deny that they knew each other previ-
ously to embarking on the steamer.

You also state, after a personal ex-
amination, that the appellant is beyond
question a member of the laboring class
of coolies. The appellant's testimony,
moreover, is the most unreasonable that
has been received at the Department for
some time. He makes statements to the
effect that he is a man of wealth and
standing in his own country, yet comes
in the garb and manner of the poorest
laborer.

As was pointed out in Department De-
cision No. 52, of August 15, 1904, in the
case of Wong Hin Yip, there is good
authority for the statement that "it is
even a difficult question to decide when
a witness is, in a legal sense, uncontra-
dicted. He may be contradicted by cir-
cumstances as well as by statements of
others contrary to his own." No par-
ticular method is laid down by law by
which the Department may disprove
statements contained in Section 6 certi-
ficates. All the circumstances already re-
cited disprove the statements contained
in the certificate that the appellant was
formerly engaged in business in Nam
Woh village and that he is at present a
merchant of wealth in Canton. He is
undoubtedly a fraud, as his fellow-
traveler, who makes practically the same
statements, has been shown to be.

In view of the foregoing, your ex-
cluding decision is affirmed and the ap-
peal of the said Mui Kee Foon is hereby
dismissed.

Respectfully,
LAWRENCE O. MURRAY,

Acting Secretary,
Commissioner of Immigration, San
Francisco, Cal.

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